

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of )  
themselves and all others similarly situated, )  
  )  
  ) Civil Action No.  
Plaintiffs, )  
v. )  
  )  
U.S. DEPARTMENT OF EDUCATION and )  
Suzanne GOLDBERG, in her official capacity as )  
Acting Assistant Secretary for Civil Rights, )  
U.S. Department of Education, )  
  )  
Defendants. )

**DECLARATION OF LOUIS  
JAMES**

I, Louis James, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am using a pseudonym as I fear retaliation from Indiana Wesleyan University for participating in this lawsuit.
3. I am a student at Indiana Wesleyan University in Marion, Indiana.
4. I chose IWU because it had a lot of things I was looking for in a school and it offered a lot of scholarship money.
5. I felt nervous about attending IWU as a gay person but it was my only real option to pursue what I love.
6. Indiana Wesleyan University has an extensive and lengthy statement on human sexuality located on its website. Some of the highlights of this statement include:
  - We affirm that God's plan for marriage and sexual fulfillment can only be found within the context of marriage between one man and one woman.
  - With regard to sexuality and marriage this means that we agree to refrain from inappropriate sexual relationships outside of marriage between a man and a woman.
  - To follow the teachings of the Scriptures regarding marriage and divorce. We affirm that sexual relationships outside of marriage and sexual relationships between persons of the same sex are immoral and sinful.
  - Sexual relationships outside of marriage and sexual relationships between persons of the same sex are immoral and sinful. Yet we believe the grace of God sufficient

to overcome both the practice of such activity and the perversion leading to its practice

- Therefore God's plan for human sexuality is that it is to be expressed only in a monogamous lifelong relationship between one man and one woman within the framework of marriage. This is the only relationship which is divinely designed for the birth and rearing of children and is a covenant union made in the sight of God, taking priority over every other human relationship
- We also agree to refrain from gender presentation that is incongruent with one's birth documentation.

7. I am a gay man. I accepted my sexual identity while in 8<sup>th</sup> grade. I had to partially go back into the closet at IWU.
8. The school says that they accept LGBTQ+ students, but their handbook says otherwise.
9. I have to worry about whether I'll be kicked out for being gay.
10. In August of 2020, I saw that a bunch of students were sharing a post about an RA who was fired for being gay. That made me think I had made a mistake in coming to IWU.
11. I thought everyone was staring at me, thinking I was gay too.
12. I became very anxious. I was also hurt because friends of mine said that the fired, gay student had no right to be here and was the one in the wrong. I wasn't sure who I could trust.
13. I went into a major spiral. I wasn't sleeping. I was barely eating.
14. I had anxiety whenever I went walking around.
15. In response to the firing, students painted the campus rock rainbow, which was great. However, other students would walk by it and say things like "that's not right."
16. Other students also painted over the rainbow. They painted hateful messages. One of the messages said "turn and repent." IWU did not take the hateful messages down.
17. In response to the firing, my college put out statements about how they welcome LGBTQ+ students.
18. However, at the same time, they sent another message saying that marriage is between a man and a woman.
19. The messages were so contradictory.
20. There are so many LGBTQ students at IWU who are in hiding and scared to come out.
21. A lot of professors talk about LGBTQ+ identities as sinful.

22. I hear homophobic slurs like “fa\*\*\*\*” around campus.
23. Thankfully, I have found a circle of people who accept me and love me for who I am. They make me feel safe.
24. My school’s policies are saddening to read. These policies are especially saddening because IWU is a university, where I am paying to go to school.
25. LGBTQ+ students should be able to live more freely at the school of their choice. We are not just our sexuality, we are human beings, our sexual orientation is just a small aspect of what makes us a person. We have feelings and need safety and freedom just like everyone else. I want to fight for that freedom so future students do not have to live in fear.
26. I am a federal income taxpayer in the United States. I will also have to repay loans from the U.S. Department of Education that I took out to attend IWU.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 28th day of March, 2021.

By: s/Louis James  
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Louis James